

Vigilantes With A Badge: Warrior Cops Endanger Our Lives And Freedoms



by Tyler Durden

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Authored by John Whitehead via The Rutherford Institute,

"There are always risks in challenging excessive police power, but the risks of not challenging it are more dangerous, even fatal."

- Hunter S. Thompson, Kingdom of Fear: Loathsome Secrets of a Star-Crossed Child in the Final Days of the American Century

I have known a lot of good cops, I have defended a lot of good cops, and I have been fortunate to call a number of good cops friends.

So when I say that warrior cops – hyped up on their own authority and the power of the badge – have not made America any safer or freer, I am **not** disrespecting any of the fine, decent, lawful police officers who take seriously their oath of office to serve and protect their fellow citizens, uphold the Constitution, and maintain the peace.

RISE OF THE WARRIOR COP

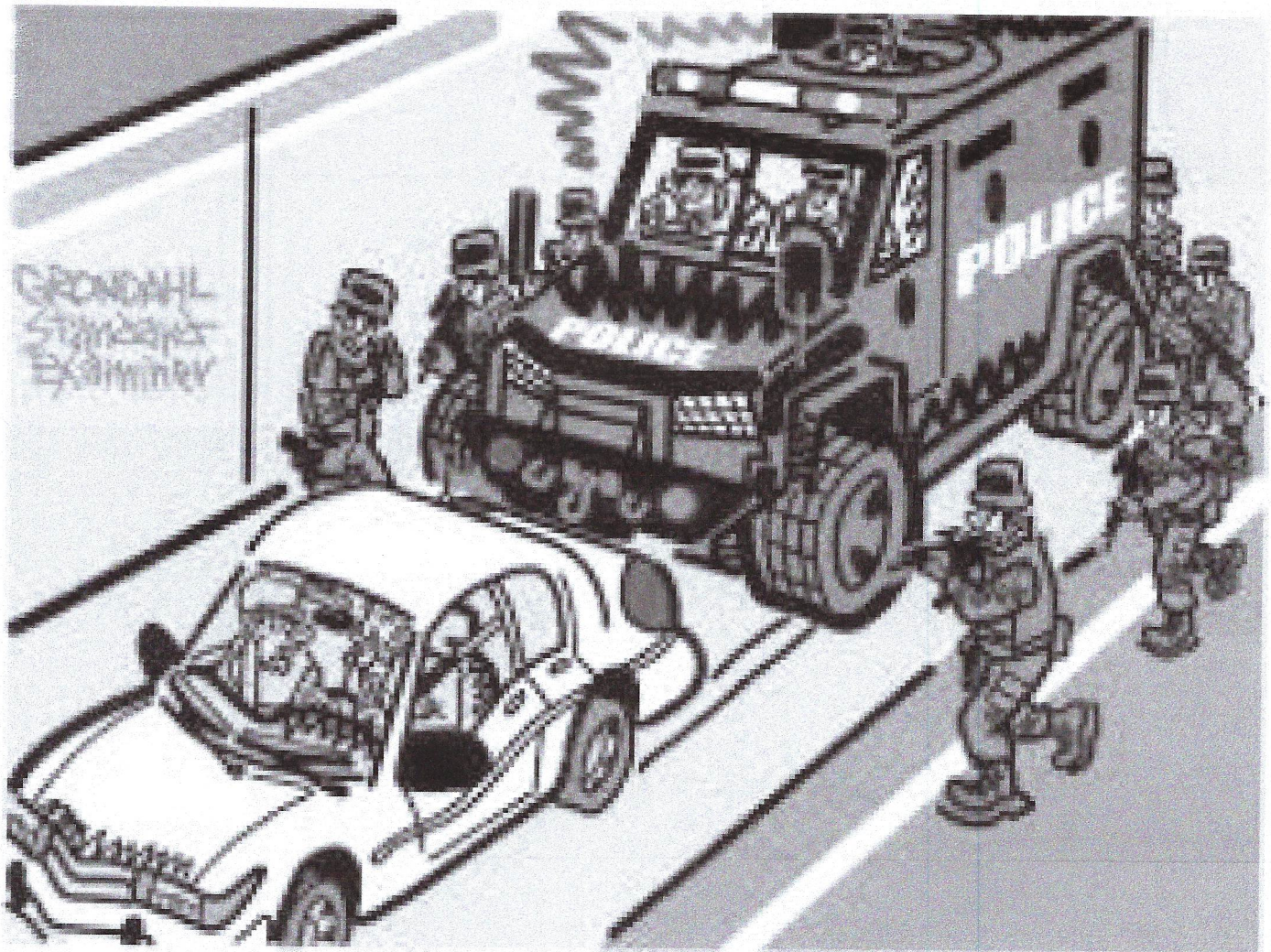


My beef is with the growing squads of warrior cops who have been given the green light to kill, shoot, taser, abuse and steal from American citizens in the so-called name of law and order.

These cops are little more than vigilantes with a badge.

Indeed, it is increasingly evident that militarized police armed with weapons of war who are allowed to operate above the law and break the laws with impunity have not made America any safer or freer.

Don't take my word for it.



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A new study by a political scientist at Princeton University concludes that militarizing police and SWAT teams “provide no detectable benefits in terms of officer safety or violent crime reduction.”

In fact, according to researcher Jonathan Mummolo, if police in America are feeling less safe, it's because the process of transforming them into extensions of the military makes them less safe, less popular and less trust-worthy.

The study, the first systematic analysis on the use and consequences of militarized force, reveals that “police militarization neither reduces rates of violent crime nor changes the number of officers assaulted or killed.”

In other words, warrior cops aren't making us *or themselves* any safer.

Consider that not a day goes by without reports of police officers overstepping the bounds of the Constitution and brutalizing, terrorizing and killing the citizenry. Indeed, the list of incidents in which unaccountable police abuse their power, betray their oath of office and leave taxpayers bruised, broken and/or killed grows longer and more tragic by the day.

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Americans are now eight times more likely to die in a police confrontation than they are to be killed by a terrorist.

The problem, as one reporter rightly concluded, is “not that life has gotten that much more dangerous, it's that authorities have chosen to respond to even innocent situations as if they were in a warzone.”

This battlefield mindset has gone hand in hand with the rise of militarized SWAT (“special weapons and tactics”) teams.

Frequently justified as vital tools necessary to combat terrorism and deal with rare but extremely dangerous criminal situations, such as those involving hostages, SWAT teams—which first appeared on the scene in California in the 1960s—have now become intrinsic parts of local law enforcement operations, thanks in large part to substantial federal assistance and the Pentagon's military surplus

recycling program, which allows the transfer of military equipment, weapons and training to local police for free or at sharp discounts.

Ponder this: In 1980, there were roughly 3,000 SWAT team-style raids in the US.

Incredibly, that number has since grown to more than 80,000 SWAT team raids per year.

There are few communities without a SWAT team today.

Where this becomes a problem of life and death for Americans is when these SWAT teams dressed, armed and trained in military tactics are assigned to carry out routine law enforcement tasks, such as serving a search warrant.

No longer reserved exclusively for deadly situations, SWAT teams are now increasingly being deployed for relatively routine police matters, with some SWAT teams being sent out as much as five times a day. In the state of Maryland alone, 92 percent of 8200 SWAT missions were used to execute search or arrest warrants.

For example, police in both Baltimore and Dallas have used SWAT teams to bust up poker games.

A Connecticut SWAT team swarmed a bar suspected of serving alcohol to underage individuals.

In Arizona, a SWAT team was used to break up an alleged cockfighting ring.

An Atlanta SWAT team raided a music studio, allegedly out of a concern that it might have been involved in illegal music piracy.

A Minnesota SWAT team raided the wrong house in the middle of the night, handcuffed the three young children, held the mother on the floor at gunpoint, shot the family dog, and then "forced the handcuffed children to sit next to the carcass of their dead pet and bloody pet for more than an hour" while they searched the home.

A California SWAT team drove an armored Lenco Bearcat into Roger Serrato's yard, surrounded his home with paramilitary troops wearing face masks, threw a fire-starting flashbang grenade into the house in order, then when Serrato appeared at a window, unarmed and wearing only his shorts, held him at bay with rifles. Serrato died of asphyxiation from being trapped in the flame-filled house. Incredibly, the father of four had done nothing wrong. The SWAT team had misidentified him as someone involved in a shooting.

And then there was the police officer who tripped and "accidentally" shot and killed Eurie Stamps, an unarmed grandfather of 12, who had been forced to lie facedown on the floor of his home at gunpoint while a SWAT team attempted to execute a search warrant against his stepson.

Equally outrageous was the four-hour SWAT team raid on a California high school, where students were locked down in classrooms, forced to urinate in overturned desks and generally terrorized by heavily armed, masked gunmen searching for possible weapons that were never found.

These incidents are just the tip of the iceberg.

Nationwide, SWAT teams have been employed to address an astonishingly trivial array of criminal activity or mere community nuisances: angry dogs, domestic disputes, improper paperwork filed by an orchid farmer, and misdemeanor marijuana possession, to give a brief sampling.

If these raids are becoming increasingly common and widespread, you can chalk it up to the "make-work" philosophy, in which you assign at-times unnecessary jobs to individuals to keep them busy or employed. In this case, however, the make-work principle is being used to justify the use of sophisticated military equipment and, in the process, qualify for federal funding.

Remember, SWAT teams originated as specialized units dedicated to defusing extremely sensitive, dangerous situations. They were never meant to be used for routine police work such as serving a warrant.

As the role of paramilitary forces has expanded, however, to include involvement in nondescript police work targeting *nonviolent* suspects, the mere presence of SWAT units has actually injected a level of danger and violence into police–citizen interactions that was not present as long as these interactions were handled by traditional civilian officers.

What we are witnessing is an inversion of the police–civilian relationship.

Rather than compelling police officers to remain within constitutional bounds as servants of the people, ordinary Americans are being placed at the mercy of militarized police units.

This is what happens when paramilitary forces are used to conduct ordinary policing operations, such as executing warrants on nonviolent defendants.

Moreover, general incompetence, collateral damage (fatalities, property damage, etc.) and botched raids tend to go hand in hand with an overuse of paramilitary forces.

In some cases, officers misread the address on the warrant.

In others, they simply barge into the wrong house or even the wrong building.

In another subset of cases (such as the Department of Education raid on Anthony Wright’s home), police conduct a search of a building where the suspect no longer resides.

SWAT teams have even on occasion conducted multiple, sequential raids on wrong addresses or executed search warrants despite the fact that the suspect is already in police custody. Police have also raided homes on the basis of mistaking the presence or scent of legal substances for drugs. Incredibly, these substances have included tomatoes, sunflowers, fish, elderberry bushes, kenaf plants, hibiscus, and ragweed.

As you can see, all too often, botched SWAT team raids have resulted in one tragedy after another for the residents with little consequences for law enforcement.

Unfortunately, judges tend to afford extreme levels of deference to police officers who have mistakenly killed innocent civilians but do not afford similar leniency to civilians who have injured police officers in acts of self-defense.

Even homeowners who mistake officers for robbers can be sentenced for assault or murder if they take defensive actions resulting in harm to police.

And as journalist Radley Balko shows in his in-depth study of police militarization, **the shock-and-awe tactics utilized by many SWAT teams only increases the likelihood that someone will get hurt.**

Drug warrants, for instance, are typically served by paramilitary units late at night or shortly before dawn. Unfortunately, to the unsuspecting homeowner—especially in cases involving mistaken identities or wrong addresses—a raid can appear to be nothing less than a violent home invasion, with armed intruders crashing through their door. The natural reaction would be to engage in self-defense. Yet such a defensive reaction on the part of a homeowner, particularly a gun owner, will spur officers to employ lethal force.

That’s exactly what happened to Jose Guerena, the young ex-Marine who was killed after a SWAT team kicked open the door of his Arizona home during a drug raid and opened fire. According to news reports, Guerena, 26 years old and the father of two young children, grabbed a gun in response to the forced invasion but never fired. In fact, the safety was still on his gun when he was killed. Police officers were not as restrained. The young Iraqi war veteran was allegedly fired upon 71 times. Guerena had no prior criminal record, and the police found nothing illegal in his home.

The problems inherent in these situations are further compounded by the fact that SWAT teams are granted “no-knock” warrants at high rates such that the warrants themselves are rendered practically meaningless.

This sorry state of affairs is made even worse by U.S. Supreme Court rulings that have essentially done away with the need for a “no-knock” warrant altogether, giving the police authority to disregard the protections afforded American citizens by the Fourth Amendment.

In the process, Americans are rendered altogether helpless and terror-stricken as a result of these confrontations with the police.

Indeed, “terrorizing” is a mild term to describe the effect on those who survive such vigilante tactics. “It was terrible. It was the most frightening experience of my life. I thought it was a terrorist attack,” said 84-year-old Leona Goldberg, a victim of such a raid.

Yet this type of “terrorizing” activity is characteristic of the culture that we have created.

If ever there were a time to de-militarize and de-weaponize local police forces, it’s now.

While we are now grappling with a power-hungry police state at the federal level, the militarization of domestic American law enforcement is largely the result of the militarization of local police forces, which are increasingly militaristic in their uniforms, weaponry, language, training, and tactics and have come to rely on SWAT teams in matters that once could have been satisfactorily performed by traditional civilian officers.

Yet American police forces were never supposed to be a branch of the military, nor were they meant to be private security forces for the reigning political faction.

Instead, they were intended to be an aggregation of countless local police units, composed of citizens like you and me that exist for a sole purpose: to serve and protect the citizens of each and every American community.

As a result of the increasing militarization of the police in recent years, however, the police now not only look like the military—with their foreboding uniforms and phalanx of lethal weapons—but they function like them, as well.

Thus, no more do we have a civilian force of peace officers entrusted with serving and protecting the American people. Instead, today’s militarized law enforcement officials have shifted their allegiance from the citizenry to the state, acting preemptively to ward off any possible challenges to the government’s power, unrestrained by the boundaries of the Fourth Amendment.

As journalist Herman Schwartz observed, *“The Fourth Amendment was designed to stand between us and arbitrary governmental authority. For all practical purposes, that shield has been shattered, leaving our liberty and personal integrity subject to the whim of every cop on the beat, trooper on the highway and jail official.”*

Armed police officers, the end product of the government—federal, local and state—and law enforcement agencies having merged, have become a “standing” or permanent army, composed of full-time professional soldiers who do not disband.

Yet these permanent armies are exactly what those who drafted the U.S. Constitution and Bill of Rights feared as tools used by despotic governments to wage war against its citizens.

This phenomenon we are experiencing with the police is what philosopher Abraham Kaplan referred to as the law of the instrument, which essentially says that to a hammer, everything looks like a nail.

In the scenario that has been playing out in recent years, we the citizenry have become the nails to be hammered by the government’s henchmen, a.k.a. its guns for hire, a.k.a. its standing army, a.k.a. the nation’s law enforcement agencies.

Yet the tension inherent in most civilian-police encounter these days can’t be blamed exclusively on law enforcement’s growing reliance on SWAT teams and donated military equipment.

It goes far deeper, to a transformation in the way police view themselves and their line of duty.

Specifically, what we’re dealing with today is a skewed shoot-to-kill mindset in which police, trained to view themselves as warriors or soldiers in a war, whether against drugs, or terror, or crime, must “get”

the bad guys—i.e., anyone who is a potential target—before the bad guys get them.

The result is a spike in the number of incidents in which police shoot first, and ask questions later.

Making matters worse, when these officers, who have long since ceased to be *peace* officers, violate their oaths by bullying, beating, tasing, shooting and killing their employers—the taxpayers to whom they owe their allegiance—they are rarely given more than a slap on the hands before resuming their patrols.

As I document in my book *Battlefield America: The War on the American People*, this lawlessness on the part of law enforcement, an unmistakable characteristic of a police state, is made possible in large part by police unions which routinely oppose civilian review boards and resist the placement of names and badge numbers on officer uniforms; police agencies that abide by the Blue Code of Silence, the quiet understanding among police that they should not implicate their colleagues for their crimes and misconduct; prosecutors who treat police offenses with greater leniency than civilian offenses; courts that sanction police wrongdoing in the name of security; and legislatures that enhance the power, reach and arsenal of the police, and a citizenry that fails to hold its government accountable to the rule of law.

Clearly, it's time for a reality check, for both the police and the citizens of this nation.

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